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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,074	01/31/2001	Jian Fan	10006308	1799

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EXAMINER

PENDERGRASS, KYLE M

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/774,074	FAN, JIAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kyle M Pendergrass	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 2,3.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 9-12, 14, and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Fall et al. (US 5,991,515)

Regarding claims 1 & 9, Fall et al., teaches dividing the document into regions (column 10, lines 30-32); specifying a text layer for text in a plurality of the regions (column 7, lines 12-16); specifying a non-text layer for the plurality of the regions (column 7, lines 16-26); and identifying color information for the text in the text layers (column 14, lines 37, 41, 43-44, 50-53, the method/apparatus receives input object and identifies its description data, including color).

Regarding claims 2 & 10, Fall et al., teaches the method/apparatus of claims 1 & 9, and further teaches compressing the text layers using a first compression technique and compressing the non-text layers using a second compression technique (column 9, lines 14-20, each object data type (text and non-text) is compressed with an appropriate technique as determined by the selector 403).

Regarding claims 3 & 11, Fall et al., teaches the method/apparatus of claims 2 & 10, wherein a lossless compression method is used for the first compression technique and a lossy compression method is used for the second compression technique

Art Unit: 2624

(column 2, lines 32-40, the embodiment of the disclosure uses these known techniques of compression for specific object types to fix the problems associated with compression methods of the disclosed prior art, lines 25-30).

Regarding claims 4 & 12, Fall et al., discloses the method/apparatus of claims 1 & 9, and further teaches associating a color value with pixels in the non-text layers (column 14, lines 37-53, a defined color value is associated with pixels from an image layer).

Regarding claims 6 & 14, Fall et al., teaches the method/apparatus of claims 1 & 9, and further teaches storing the layers of each of the regions in a portable document format (column 6, lines 10-43 & column 13, lines 1-7).

Regarding claim 17, Fall et al., teaches dividing the document into regions (column 10, lines 30-32); specifying a text layer for text in a plurality of the regions (column 7, lines 12-16); specifying a non-text layer for the plurality of the regions (column 7, lines 16-26); compressing the text layers using a first compression technique and compressing the non-text layers using a second compression technique (column 9, lines 14-20, each object data type (text and non-text) is compressed with an appropriate technique as determined by the selector 403), and storing the layers of each of the regions in a portable document format (column 6, lines 10-43 & column 13, lines 1-7).

Regarding claim 18, Fall et al., teaches the method of claim 17, and further teaches using a lossless compression method for the first compression technique and a lossy compression for the second compression technique (column 2, lines 32-40, the embodiment of the disclosure uses these known techniques of compression for specific

Art Unit: 2624

object types to fix the problems associated with compression methods of the disclosed prior art, lines 25-30).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, 15, 16, 19 & 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fall et al. (US 5,991,515) & Dalrymple et al. (US 5,243,414)

Regarding claims 7, 8, 15, 16, 19 & 20. Fall et al., teaches the method/apparatus of claims 1, 4, 9, 12 & 17, but does not teach specifying a uniform text color for the text in the regions, specifying background color information for the text layers, or specifying color information for pixels in the non-text layer.

However, Dalrymple et al., teaches specifying a uniform text color for the text in the regions, specifying background color information for the text layers, and specifying color information in the non-text layer (column 5, lines 54-56, the teaching includes specification or regions (text, image, image as background to text) in RGB format).

Accordingly, it would have been obvious to one skill in the art at the time of the invention to have used the specifying method of Dalrymple et al., because, as taught by Dalrymple et al., (column 4, lines 42-54) it would have improved image quality, resolving differences among input and output devices, and thus accommodating the limitations of

particular output devices. It also would have provided greater specification of the objects in the Fall et al., teachings.

Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fall et al. (US 5,991,515) & prior art disclosure by the applicant.

Regarding claims 5 & 13, Fall et al., teaches the method/apparatus of claims 4 & 12, but does not teach specifying red-green-blue values for the pixels.

However, the applicant discloses that the use of red, green and blue values for pixels are known in the art at the time of the invention (page 4 line 4, of applicant Specification).

According, it would have been obvious to one skilled in the art to have specified the RGB values for the pixels or the Fall et al., disclosure, because of their wide use across the art and compatibility with many products and methods in the art.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle Pendergrass whose telephone number is (703) 306-3445. The examiner can normally be reached on Monday-Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, David K. Moore can be reached on (703) 305-7452. The fax phone number for the organization where this application or proceeding is assigned in (703) 872-9306.

Art Unit: 2624

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9700.



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